REMARKS

The non-final Office Action dated August 3, 2009 has been carefully reviewed and the following remarks are responsive thereto. Claims 1-7, 9, and 13 have been amended.

From the related recitations from the third paragraph on page 6 to the second paragraph on page 7 of the description and Figure 2, it can be seen that no new matter has been added.

Claims 1-20 remain pending upon entry of the present amendment. Reconsideration and allowance are respectfully requested.

Claim Rejections - 35 USC§103

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Finkelstein (The Future of Intelligent Network) in view of U.S. Patent 6,968,051 to Wood. For reasons discussed below, the Applicants respectfully submit that the claims contain patentable subject matter.

Claim 1.

As a whole, claim 1 is distinguishable from Finkelstein. For example, claim 1 requires a *Softswitch device*, and the Softswitch device includes "a network adaptive *device*," "a call *server*," and "an Intelligent Network Application Part (INAP), Customised Applications for Mobile network Enhanced Logic Application Part (CAP) or Mobile Application Part (MAP) *adapter*." However, Finkelstein does **not** disclose these features. Finkelstein simply discloses a framework of **functions** of the "call agent" (see Figure 4 of Finkelstein), and it does **not** teach or suggest any realization of the "call agent" in devices.

More particularly, in response to the Examiner's assertion that "the call agent is the softswitch," the Applicants respectfully disagree. Firstly, the call agent and softswitch have different functions and they are completely different parts. Therefore, the "call agent" disclosed by Finkelstein is not equivalent to the "Softswitch device" recited in claim 1. Secondly, the Softswitch device recited in claim 1 includes "a network adaptive *device*," "a call *server*," and "an Intelligent Network Application Part (INAP), Customised Applications for Mobile network Enhanced Logic Application Part (CAP) or Mobile Application Part (MAP) *adapter*." However, Finkelstein does **not** disclose any devices or realization by devices of the "call agent." Therefore Finkelstein does **not** disclose the "Softswitch device" recited in claim 1.

Regarding the Examiner's assertion that "the SSF and the CCF are the network adaptive device they do the typical call connection between the switch and other devices and handle call request," the Applicants also disagree. The "network adaptive device" recited in claim 1 is a specific device. However, the "service switching *function* (SSF)" and the "connection control *function* (CCF)" recited in Finkelstein (lines 13-18 under the intelligent network of Finkelstein) are just **functions** defined by the ITU. Functions can be realized by different devices in different ways, and functions are not equivalent to devices. Since both SSF and CCF are just definitions of functions, they are **not** a "*network adaptive device.*" In particular, the recited network adaptive device in claim 1 is a device implementing the communication between the Softswitch device and other devices in the Network, and receiving call requests. However, it is known to a person of ordinary skill in the art that SSF, as a function defined by the ITU, does **not** relate to the call connection. The network adaptive device recited in claim 1 is *unrelated to* the SSF and CCF recited in Finkelstein. Therefore, the Applicants respectfully submit that Finkelstein does **not** disclose any "network adaptive **device.**"

Regarding the Examiner's assertion that "the SCF is the call server," SCF is just a service control function defined by the ITU. As discussed above, functions can be realized by different devices in different ways, and they are not equivalent to devices. Therefore "SCF" disclosed by Finkelstein is not equivalent to the "call **server**" recited in claim 1. In addition, the call server in claim 1 is included in the Softswitch device. However, SCF is responsible for service logic execution in the Intelligent Network services, but is **not** a function of a softswitch. A Softswitch device should **not** have the function of SCF. Further, contrary to the Examiner's assertion, Finkelstein does **not** teach or suggest that the SCF will process the common calls. Actually, to a person of ordinary skill in the art, it is known that the service control function (SCF) is an application of service **logic** to *control functional entities* in providing Intelligent Network services, but **can not** process common calls. What is more, as the Office Action concedes, Finkelstein does *not* teach or suggest a server determining whether the call received is a common call or a call of the intelligent network. Thus, Finkelstein does **not** teach or suggest the call server provided by claim 1, which is a device of the Softswitch device and which is for determining whether the call received by said Network adaptive device is a common call or a call of the intelligent network and processing the common call. For at least these reasons, the Applicants respectfully submit that Finkelstein does **not** disclose any "call server."

Regarding other aspects of claim 1, the Softswitch device also includes an Intelligent Network Application Part (INAP), Customised Applications for Mobile network Enhanced Logic Application Part (CAP) or Mobile Application Part (MAP) adapter for responding to the call of the intelligent network and encoding or decoding the INAP message. In other words, the Softswitch device provided by claim 1 includes an INAP, CAP or MAP adapter, and the adapter is for "responding to the call of the intelligent network and encoding or decoding the INAP message." Finkelstein does not disclose an adapter. Finkelstein, in lines 35-46 under the section "Voice-Over-Packet Network," states that "the call agent could also support limited SCF capabilities to process service requests, and access IN *capabilities* in the PSTN for well-established services such as toll-free and number portability. The IN *capabilities* of a PSTN SCP can be accessed using Signaling System 7 (SS7)/Transaction Capabilities Application Part (TCAP) via a signaling gateway." It can be clearly seen that Finkelstein does **not** involve any concept of "**responding** *to the call of the intelligent network*" or "**encoding or decoding** *the INAP message*." Furthermore, Finkelstein only describes the functions and capabilities of a "call agent", it does **not** disclose any **device** for "responding to the call of the intelligent network and encoding or decoding the INAP message." Additionally, the Customised Applications for **Mobile network** Enhanced Logic Application Part (CAP) or **Mobile** Application Part (MAP) adapter recited in claim 1 is used for a **Mobile network**. However, Finkelstein does **not** disclose any adapter used for a **Mobile network**. Thus, at least for these additional reasons, Finkelstein does not disclose the "Intelligent Network Application Part (INAP), Customised Applications for Mobile network Enhanced Logic Application Part (CAP) or Mobile Application Part (MAP) adapter" as recited in claim 1.

Last but not least, the network adaptive device of claim 1 is located at a bottom layer of the Softswitch device, the call server is in a higher layer of the network adaptive device, and the Intelligent Network Application Part (INAP), Customised Applications for Mobile network Enhanced Logic Application Part (CAP) or Mobile Application Part (MAP) adapter is in a higher layer of the call server. However, Finkelstein does **not** teach or suggest that the call agent have an architecture as defined in claim 1. In fact, since Finkelstein only gives a framework of the **functions** of "call agent," it is **impossible** for Finkelstein to disclose the **devices constituting** the "call agent", *let alone* the **specific structure** of the *Softswitch device* or the **connections** between devices in the *Softswitch device*.

Thus, at least for the above reasons, the Applicants respectfully submit that claim 1 is distinguishable from Finkelstein.

With reference to Wood, it can be seen that Wood fails to teach or suggest the above distinguishing technical features of claim 1 as well.

Thus, the Applicants respectfully submit that claim 1 is non-obvious and allowable.

Claims 2-5 depend on claim 1 directly or indirectly, and are thus allowable for at least the same reasons as claim 1.

Claim 6 provides:

"A system for implementing an intelligent network, including a Softswitch device, the system comprising:

a network adaptive device located at a bottom layer of the Softswitch device, the network adaptive device for implementing communication between the Softswitch device and other devices in said network, as well as receiving the call request;

a call server in a higher layer of the network adaptive device, the call server for determining whether a call received by said network adaptive device is a common call or a call of the intelligent network and processing the common call;

an INAP adapter in a higher layer of the call server, the INAP adapter for responding to the call of the intelligent network and encoding or decoding the INAP message;

at least one Service Control Point (SCP) for executing intelligent service logic and producing INAP messages; and

an IP network for connecting said Softswitch device and the SCP."

For reasons similar to those supporting the patentability of claim 1, the Applicants respectfully submit that claim 6 allowable.

Claims 7-8 depend on claim 6, and are, thus, allowable for at least the same reasons as claim 6.

Claim 9-20 are allowable for reasons similar to those supporting the patentability of claim 1.

Conclusion

In light of the above, the Applicants submit that the application is in condition for allowance and respectfully request that a Notice of Allowance be issued in this case. The Applicants also request that the Office telephone the attorneys of record in the event a telephone discussion would be helpful in advancing the prosecution of the present application.

Respectfully submitted,

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